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STANFORD HOSPITAL AND CLINICS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

E-FILED - 6/29/05

STANFORD UNIVERSITY
MEDICAL CENTER d/b/a
STANFORD HOSPITAL AND
CLINICS, a Non-Profit California
corporation,

Plaintiff,

vs.

THE GUARDIAN LIFE INSURANCE
COMPANY, a Wisconsin corporation;
and DOES 1-25, inclusive,

Defendants.

CASE NO. C 05 00998 RMW

**STIPULATION TO CONTINUE
THE JULY 15, 2005 CASE
MANAGEMENT CONFERENCE
TO JULY 29, 2005
AND ORDER**

Date: July 15, 2005 (currently set)
Time: 10:30 a.m.
Dept.: 6

Requested Date: July 29, 2005

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Case No. C 05 00998 RMW
STIPULATION TO CONTINUE JULY 15, 2005
CASE MANAGEMENT CONFERENCE TO
JULY 29, 2005

1 Plaintiff STANFORD UNIVERSITY MEDICAL CENTER d/b/a
 2 STANFORD HOSPITAL AND CLINICS and Defendant THE GUARDIAN LIFE
 3 INSURANCE COMPANY, by and through their respective attorneys of record in
 4 the above-entitled action, hereby stipulate to and respectfully apply to the Court for
 5 an order continuing the currently-scheduled July 15, 2005 Case Management
 6 Conference in this action.

7
 8 Good cause exists for the order sought on the following grounds:
 9

10 Defendant's counsel, Melissa M. Cowan, will be appearing for The Guardian
 11 Life Insurance Company at the Case Management Conference as trial counsel. This
 12 request for continuance is made due to the unexpected death of Ms. Cowan's father,
 13 who died on June 12, 2005. Ms. Cowan is taking time off to deal with this
 14 emergency. As a result, Ms. Cowan has obtained a continuance for an appellate oral
 15 argument in the unrelated case of Thorndal v. Provident Life and Accident Ins. Co.
 16 et al, Appellate Case No. B158749. The California Court of Appeal continued the
 17 oral argument in that case from June 16, 2005 to July 15, 2005 — the same date as
 18 the currently scheduled Case Management Conference in the instant matter.
 19 Opposing counsel in the Thorndal appeal is hesitant to continue the oral argument to
 20 the next available date for counsel in September 2005. Accordingly, Ms. Cowan
 21 seeks a continuance of the instant Case Management Conference to avoid the
 22 scheduling of the two appearances on the same day.

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28 5107 / 84129.1

Therefore, the parties respectfully request that the July 15, 2005 hearing be continued to July 29, 2005. The parties further request that the completion dates for compliance with Rule 26 of the Federal Rules of Civil Procedure and Local Rules 16-8 and 16-9 be continued according to the July 29, 2005 hearing date.

IT IS SO STIPULATED.

DATED: June 15, 2005

STEPHENSON, ACQUISTO & COLMAN
JOY YOUNG STEPHENSON
KATHRYN J. WOODS

By: /S/ KATHRYN J. WOODS

KATHRYN J. WOODS
Attorneys for Plaintiff Stanford University
Medical Center D/B/A Stanford Hospital And
Clinics

DATED: June 15, 2005

GALTON & HELM LLP
DANIEL W. MAGUIRE
MELISSA M. COWAN
KEIKO J. KOJIMA

By: /S/ KEIKO J. KOJIMA

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ORDER

GOOD CAUSE THEREFOR APPEARING, the Case Management Conference currently set for July 15, 2005 at 10:30 a.m. is hereby continued to July 29, 2005 at 10:30 a.m. Compliance with the requirements of Rule 26 of the Federal Rules of Civil Procedure and Local Rules 16-8 and 16-9 shall be based on the July 29, 2005 hearing date.

IT IS SO ORDERED.

Dated: 6/29/05

/S/ RONALD M. WHYTE

The Honorable Ronald M. Whyte
Judge of the United States District Court

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